

EXHIBIT 12

Letter from William Taft to Colin Ram



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September 16, 2020

BY EMAIL

Colin V. Ram
McLeod Law Group LLC
3 Morris Street, Suite A
Charleston, SC 29403

Prohibited Contacts With Current or Former adidas Employees

Dear Mr. Ram:

I write with reference to your statement in Plaintiff Brian Bowen II's recent court filing that a confidentiality order "would effectively foreclose Plaintiff's ability to speak with reluctant witnesses, such as lower-level employees within Adidas who have knowledge of the bribery scheme and want to speak with Plaintiff's counsel without putting their jobs at risk." (Pl.'s Opp. to Mot. for Entry of Confidentiality Order at 15, Sept. 11, 2020, No. 3:18-cv-03118, ECF No. 147.)

Irrespective of whether the Court issues a confidentiality order, your firm is not authorized to contact any employees of adidas America, Inc. To avoid prohibited communications, any request to speak with current adidas employees should be directed to me. Please immediately confirm whether you or your colleagues or agents have already spoken with current or former adidas employees, and if so, identify the individuals with whom you have spoken and when those conversations took place so that I may assess whether any *ex parte* communications violated adidas's rights, including with respect to protecting privileged communications or confidential information. See S.C. Rule of Prof. Conduct 4.2 ("Communication With Person Represented By Counsel"); Rule 4.4 cmt. 1.; S.C. Bar Ethics Advisory Comm. Op. 01-01 (warning attorneys against inducing a former employee to divulge confidential or proprietary material).

I appreciate your prompt attention to this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read "Will Taft".

William H. Taft V